

House File 2410 - Introduced

HOUSE FILE 2410
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 529)

A BILL FOR

- 1 An Act relating to restrictions for drug product selection
- 2 relative to antiepileptic drugs.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 155A.32, Code 2009, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 2A. *a.* The pharmacist shall not exercise
4 the drug product selection described in this section for
5 an antiepileptic drug or formulation of an antiepileptic
6 drug, whether brand name or generic name, prescribed for the
7 treatment of epilepsy, prior to meeting all of the following
8 requirements:

9 (1) Providing notification to the patient or the patient's
10 representative.

11 (2) Providing notification to the authorized prescriber.

12 *b.* For the purposes of this subsection, "notification"
13 shall require the pharmacist to provide written or documented
14 verbal communication to the prescriber and patient or patient's
15 representative at the time the drug is dispensed. Notification
16 to the patient shall include informing the patient or patient's
17 representative of the patient's right to reject the drug being
18 dispensed.

19 *c.* If any part of the prescription under this subsection
20 will be paid by expenditure of public funds authorized under
21 chapter 249A, the rules, policies, and procedures applicable
22 to prescription drugs under that chapter shall apply to a
23 prescription under this subsection.

24 *d.* This subsection shall apply if the patient's condition is
25 being treated with a specific drug, strength, dosage form, and
26 dosing regimen from a specific manufacturer.

27 *e.* For the purposes of this subsection, drug product
28 selection includes dispensing the antiepileptic drug of
29 another manufacturer instead of the antiepileptic drug of the
30 manufacturer which the patient is currently prescribed, and
31 substituting a generic version for a brand version, a brand
32 version for a generic version, or a generic version for a
33 generic version of a different manufacturer.

34 EXPLANATION

35 This bill provides an exception to authorization of drug

1 product selection by pharmacists by prohibiting such drug
2 product selection for an antiepileptic drug or formulation
3 of an antiepileptic drug, whether brand name or generic
4 name, prescribed for the treatment of epilepsy, unless the
5 pharmacist first provides notification to the patient or the
6 patient's representative and to the authorized prescriber. The
7 bill specifies the requirements for providing notification,
8 under what conditions the bill applies, and what drug product
9 selection includes under the bill. The bill also provides that
10 if any part of the prescription will be paid by expenditure of
11 public funds authorized under Code chapter 249A (Medicaid),
12 the rules, policies, and procedures applicable to prescription
13 drugs under Code chapter 249A are to apply to the prescription.